

Moreover, the majority of the exhibits contained in SAP's Supplemental Exhibit List are Hodell's own documents and were produced by Hodell during discovery. The remaining exhibits contained in SAP's Supplemental Exhibit List are documents that were produced by other parties during discovery and have now been in Hodell's possession for at least two full years.

In any event, Hodell's emphasis on the number of exhibits in SAP's Supplemental Trial Exhibit List is misplaced. Hodell's own trial exhibit list contained over 290 exhibits, many of which were not exhibits at all but rather broad catch-all categories of materials produced during discovery or cited by party experts. *See, e.g.*, Plaintiff's Exhibit List, ECF No. 211, at Nos. 288-91 (identifying "[a]ll documents produced pursuant to subpoena by Accellos" and, "[t]o the extent necessary, any and all documents produced by" SAP, LSI-Lowery Systems, Inc., the IBIS Group, Inc., and Hodell-Natco Industries, Inc. "in discovery"). Indeed, Hodell's proposed trial exhibit list effectively identified every single document produced by all parties during discovery – this necessarily includes all of the exhibits on SAP's Supplemental Trial Exhibit List.

Respectfully submitted,

/s/ Gregory J. Star

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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of October, 2014, the foregoing Response to Hodell's Objections to the Supplemental Trial Exhibit List of SAP America, Inc. and SAP AG was filed and served electronically via ECF.

/s/ Gregory J. Star

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